

REMARKS**RESTRICTION REQUIREMENT**

The Examiner required restriction under 35 USC 121 and set forth five different groups in her paper mailed 8/11/2005. Based upon Applicant's election of November 4, 2004, Group I is the elected invention. Applicant has amended Claims 1, 2 and 3 to delete the non-elected subject matter. Applicant expressly reserves the right to file divisional applications directed to the non-elected subject matter.

Applicants submit that once the compounds of the present invention are found to be novel and nonobvious, at least one method claim should be rejoined pursuant to linking claim practice even though Applicant has currently designated all method claims as "withdrawn" in accordance with the current restriction requirement.

REJECTION OF CLAIMS 1 AND 2 UNDER 35 USC 103(a)

The Examiner has rejected Claims 1 and 2 as being unpatentable over Agro-Kanesho Co., LTD (Reference B03, cited by Applicants). Applicant has amended Claims 1 and 2 so that R3, R4, R5 and R6 are no longer defined as Br, Cl or C₁-C₆alkyl. Applicants believe this amendment is sufficient to overcome the rejection of Claims 1 and 2 under 35 USC 103(a) in view of Aguro-Kanesho. Claims 3, 4 and 7 were objected to as being depended upon a rejected base claim. Applicant asserts these claims are now allowable in view of the amendment to the rejected base claim and intervening claims.

Conclusion

In view of the amendment and remarks contained herein, Applicants submit the application is in condition for allowance.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,



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